



PATENT  
Customer Number 22,852  
Attorney Docket No. 3495.0320-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Stewart COLE et al. )  
)  
Serial No.: 10/802,796 ) Group Art Unit: 1654  
)  
Filed: March 18, 2004 ) Examiner: Julie HA  
)  
For: A METHOD FOR ISOLATING A )  
POLYNUCLEOTIDE OF ) Confirmation No.: 6307  
INTEREST FROM THE )  
GENOME OF )  
MYCOBACTERIUM USING A )  
BAC-BASED DNA LIBRARY, )  
APPLICATION TO THE )  
DETECTION OF )  
MYCOBACTERIA )

**Mail Stop: After Final**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31**

Applicants appeal to the Board of Patent Appeals and Interferences from the  
Examiner's decision of October 17, 2007.

The items checked below are appropriate:

- ☒ Applicants previously filed a Petition for a one-month extension of time  
extending the period for response to the outstanding Office action to  
February 18, 2007.

04/16/2008 SZEWDIE1 00000024 10002796

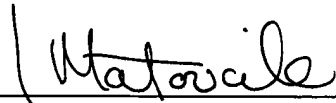
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Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: April 15, 2008

By:   
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